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Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the second to fourth periodic reports of Vanuatu*

I. Introduction

1. The Committee considered the combined second to fourth periodic reports of Vanuatu (CRC/C/VUT/2) at its 2238th and 2240th meetings (see CRC/C/SR.2238 and 2240), held on 21 and 22 September 2017, and adopted the present concluding observations at its 2251st meeting, held on 29 September 2017.

2. The Committee welcomes the submission of the combined second to fourth periodic reports of the State party and the written replies to the list of issues (CRC/C/VUT/Q/2/Add.1). However, the Committee regrets that the report was submitted with a considerable delay, which prevented the Committee from reviewing the implementation of the Convention by Vanuatu for 18 years. The Committee welcomes the constructive dialogue with the multisectoral delegation of the State party, which was successfully held through videoconferencing, a method that was suitable owing to the limited resources of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress achieved by the State party in several areas, including the ratification of or accession to international instruments, particularly the ratification of the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography and the Optional Protocol to the Convention on the involvement of children in armed conflict. The Committee notes with appreciation the legislative, institutional and policy measures adopted to implement the Convention.

III. Main areas of concern and recommendations

A. General measures of implementation (arts. 4, 42 and 44 (6))

Previous recommendations

4. **The Committee recommends that the State party take all measures necessary to address its recommendations made in 1999 (CRC/C/15/Add.111), which have not been implemented or not sufficiently implemented, particularly those relating to budget**

* Adopted by the Committee at its seventy-sixth session (11-29 September 2017).

allocation (para. 11), training and dissemination (para. 12) and corporal punishment (para. 16).

Legislation

5. The Committee welcomes the establishment of the Vanuatu Law Commission and the ongoing legislative reform. However, the Committee is concerned that there is no comprehensive child protection law, that some laws still have to be harmonized with the Convention, particularly the Control of Marriage Act and the Penal Code, and that the 2008 Family Protection Act is not fully implemented.

6. **The Committee recommends that the State party:**

(a) **Strengthen its efforts to implement the legislative revisions suggested by the Vanuatu Law Commission and bring the existing legislation into accordance with the Convention;**

(b) **Draft a bill on child protection, as envisaged under the 2016-2017 Vanuatu Child Protection Work Plan;**

(c) **Take prompt steps to implement the 2008 Family Protection Act and raise public awareness of the Act.**

Comprehensive policy and strategy

7. The Committee welcomes the adoption of the National Child Protection Policy 2016-2026. However, it remains concerned that there is no national strategy or plan of action for children and that a number of child-focused policies, such as the National Children's Policy 2007-2011, have expired and have not been reviewed.

8. **The Committee recommends that the State party:**

(a) **Allocate appropriate resources to implement the National Child Protection Policy 2016-2026;**

(b) **Adopt and implement a comprehensive national strategy for children to cover all areas of the Convention and allocate appropriate human, technical and financial resources for its implementation.**

Coordination

9. The Committee notes the establishment of the National Children's Committee in 2000. However, it is concerned that the National Children's Committee has not been fully functional since 2012 and that a number of newly established child-focused officer positions at the national and provincial levels have not been funded.

10. **The Committee recommends that the State party:**

(a) **Provide the National Children's Committee with the necessary human, technical and financial resources for its effective operation;**

(b) **Progressively allocate sufficient financial resources to fund the child-focused officer positions at the national and provincial levels.**

Allocation of resources

11. **With reference to its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee reiterates its previous concluding observations (CRC/C/15/Add.111, para. 11) and recommends that, when it plans its future budgets, the State party increase the budget allocation for children to the maximum extent possible, in accordance with article 4 of the Convention. In particular, it should increase the budget and expenditure for the Child Desk coordination within the Ministry of Justice and Community Services.**

Data collection

12. The Committee notes with appreciation the establishment of the Monitoring and Evaluation Unit within the Prime Minister's Office, the Health Information System and the Vanuatu Education Management Information System. However, it is concerned that:

(a) There is no clarity on how the work of the Monitoring and Evaluation Unit is aligned to the National Statistics Office and to what extent it influences the State party's policy planning and budgeting;

(b) Relevant nutritional indicators for children are not part of the Health Information System;

(c) The Vanuatu Education Management Information System monitors children who are in school only and does not address the prevalence of school-age children who are out of school. In addition, it does not monitor children with disabilities or provide for particular adjustments in connection with the degree and complex nature of disability.

13. **In the light of its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee recommends that the State party:**

(a) **Enhance coordination between the Monitoring and Evaluation Unit and the National Statistics Office and ensure that the data collected are being used to inform the State party's planning, budgeting and monitoring for children;**

(b) **Strengthen administrative data, particularly in the Health Information System and the Vanuatu Education Management Information System, to include key indicators for children, appropriately disaggregated by, inter alia, age, sex, disability, ethnic origin, national origin, geographic location and socioeconomic status;**

(c) **Strengthen the data collection system to ensure that it captures qualitative and quantitative disaggregated data on children, including children with disabilities, particularly at the provincial level, and allocate appropriate human, technical and financial resources to it.**

Independent monitoring

14. The Committee notes the ongoing discussions on the establishment of a national human rights institution. However, it is concerned that there is no time frame for the establishment of an institution with a specific mechanism for monitoring children's rights that is able to receive, investigate and address complaints by children in a child-sensitive manner.

15. **With reference to its general comment No. 2 (2002) on the role of independent human rights institutions in the promotion and protection of the rights of the child, the Committee recommends that the State party:**

(a) **Take measures to expeditiously establish an independent mechanism for monitoring human rights, including a specific mechanism for monitoring children's rights that is able to receive, investigate and address complaints by children in a child-sensitive manner;**

(b) **Seek technical cooperation from, among others, the United Nations Children's Fund (UNICEF), the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Development Programme.**

Dissemination, awareness-raising and training

16. **While noting the awareness-raising on the Convention at the national and community levels, particularly the State party's partnership with civil society organizations, traditional leaders and churches, the Committee recalls its previous concluding observations (CRC/C/15/Add.111, para. 12) and recommends that the State party:**

(a) **Strengthen community awareness programmes, campaigns and efforts in order to ensure that the provisions and principles of the Convention are widely**

recognized and understood and make sure that children, parents, communities and church leaders play a key role in such initiatives;

(b) **Strengthen awareness at the national and local levels, particularly among government officials who work directly on children's rights, and among children's networks, parents and communities;**

(c) **Engage with communities and parents in discussion on children's rights, particularly on issues such as gender, child marriage and child labour.**

B. Definition of the child (art. 1)

17. The Committee is seriously concerned that the minimum age for marriage is still set at 16 for girls under the Control of Marriage Act.

18. **The Committee urges the State party to revise the Control of Marriage Act to ensure that the minimum age for marriage is established at 18 for both girls and boys, and to take all necessary measures to eliminate child marriage.**

C. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

19. The Committee notes that the State party's Constitution provides for protection from discrimination on several grounds. However, it is concerned that there remains de jure and de facto discrimination against children based on gender and disabilities.

20. **The Committee recommends that the State party take more active measures to end all forms of discrimination against children, particularly girls and children with disabilities.**

Respect for the views of the child

21. The Committee is concerned that there are no specific court rules for procedures dealing with children and that the Criminal Procedure Code is silent with regard to respect of children's views during criminal cases.

22. **With reference to article 12 of the Convention and its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party ensure that children's views are given due consideration in the family, at schools, in the courts and in all relevant administrative and legal proceedings concerning them through, inter alia, the adoption of appropriate legislation, including the revision of the Criminal Procedure Code, and training of relevant professionals.**

D. Civil rights and freedoms (arts. 7, 8 and 13-17)

Birth registration

23. The Committee notes that the State party has made some progress in terms of birth registration coverage through the decentralization of birth registration services, mobile services and by strengthening the Civil Registry Department. However, it remains concerned at the difference in the level of birth registration depending on whether a child is born in a hospital facility or not. The Committee is also concerned at the accuracy of the registration details for children born out-of-wedlock and for those born to adolescent mothers.

24. **The Committee recommends that the State party:**

(a) **Strengthen its efforts to implement early birth registration procedures and issuance of birth certificates, with particular focus on birth registration at the community level;**

(b) **Improve the level of registration of births that do not take place in hospital facilities and strengthen the use of mobile birth registration teams to cover remote communities;**

(c) **Launch extensive awareness-raising programmes about the importance of birth registration and the process by which the children are registered;**

(d) **Ensure the accuracy of registration details for children born out-of-wedlock and for those born to adolescent mothers;**

(e) **Develop strategies to change the societal mindset and negative attitudes towards unmarried mothers.**

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Corporal punishment

25. **With reference to its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee urges the State party to:**

(a) **Amend existing legislation, particularly the Family Protection Act and the Penal Code, to explicitly prohibit corporal punishment in all settings;**

(b) **Immediately and effectively implement the Education Act prohibiting corporal punishment in schools and strengthen teacher training on alternative forms of discipline and ensure it is part of pre- and in-service training programmes;**

(c) **Develop guidelines for the implementation of the prohibition of corporal punishment, in accordance with the Education Act, and vigorously prosecute offenders;**

(d) **Provide programmes for parents, teachers, the police and professionals who work with and for children to encourage the use of alternative non-violent forms of discipline;**

(e) **Provide children with a complaints mechanism in schools so that they can safely and confidentially report teachers who continue to use corporal punishment despite the ban;**

(f) **Strengthen awareness-raising programmes, training and other activities to promote the change of mindset with regard to corporal punishment, particularly in schools, in the family and at the community level.**

Abuse, neglect and sexual exploitation and abuse

26. The Committee takes note of the amendments relating to sexual violence against children in the Penal Code Amendment Act No. 17 of 2003. However, the Committee remains seriously concerned at:

(a) The reportedly high level of sexual abuse, including sexual harassment within communities, and the significant underreporting of such abuse due to a fear of stigma;

(b) The reporting and settling of cases through the village chiefs, which may result in action being taken against the child victims or their families rather than the perpetrators;

(c) The fact that children are not sufficiently aware of existing reporting mechanisms or protection orders;

(d) The inadequate structures in place to support child victims of violence, such as special court procedures for hearing evidence, shelters and counselling;

(e) The shortage of specialized personnel and the absence of a specialized police unit for child victims;

(f) The fact that the Family Protection Units deal only with domestic cases of a non-sexual nature.

27. **With reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and taking note of target 16.2 of the Sustainable Development Goals to end abuse, exploitation, trafficking and all forms of violence against and torture of children, the Committee urges the State party to:**

(a) **Encourage community-based programmes aimed at preventing and tackling domestic violence, child abuse and sexual exploitation, paying particular attention to the gender dimension of violence;**

(b) **Take all necessary measures to introduce special court procedures to hear evidence from child victims of violence and ensure that they receive psychological and recovery services, that they are aware of the existence of protection orders and the special court procedures, that they understand reporting procedures and that they are encouraged to report cases of domestic violence, particularly child sexual abuse, to the relevant authorities;**

(c) **Conduct awareness-raising activities to combat the stigmatization of child victims of sexual exploitation and abuse, including incest, and ensure accessible, confidential, child-friendly and effective reporting channels for such violations;**

(d) **Take all necessary measures to ensure that the Family Protection Units of the police receive adequate human, technical and financial resources, particularly specialized personnel, for dealing with cases of violence, sexual abuse and exploitation of children.**

Helplines

28. The Committee welcomes the establishment of the 24/7 children's helpline in Port Vila as part of the child online protection programme. However, it is concerned about children in the rest of the country and that not all children are aware of the helpline.

29. **The Committee recommends that the State party:**

(a) **Increase the availability of helplines, possibly by utilizing free mobile services;**

(b) **Promote awareness of how children can access the children's helpline and provide all the necessary human, financial and technical resources for its effective functioning.**

F. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Children deprived of a family environment

30. The Committee is concerned that there is no legal framework, policy or minimum standard in place to regulate the alternative care of children and that most children in alternative care are placed under kinship care or with extended family due to the absence of social welfare services. The Committee is also concerned that there are no monitoring mechanisms for alternative care institutions run by non-governmental organizations and family-based care for children.

31. **Drawing the State party's attention to the Guidelines for the Alternative Care of Children, the Committee recommends that the State party:**

(a) **Establish a legal framework, policy and minimum standards for monitoring family-based care for children and alternative care institutions run by non-governmental organizations;**

(b) **Establish a system of foster care for children who cannot stay with their families, ensuring that institutionalization is used as a last resort;**

(d) The limited access to rehabilitation, early identification and referral programmes, as well as the limited funding and technical support to service providers and to families of children with disabilities.

35. **With reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and:**

(a) **Strengthen the legislative framework by adopting the Disability Bill and implementing the National Disability Inclusive Development Policy 2016-2025;**

(b) **Develop and support community campaigns and programmes to address discrimination and stigma against children with disabilities and create awareness of early detection and interventions;**

(c) **Ensure that there are sufficient numbers of specialist teachers and professionals to provide individual support in all schools and that they are adequately trained so that children with all kinds of disabilities can effectively enjoy their right to quality inclusive education, including through international cooperation;**

(d) **Improve access to all public buildings, spaces, service delivery and transportation in all areas, especially rural communities;**

(e) **Expand community-based rehabilitation, early identification and referral programmes for children with disabilities and provide the necessary human, technical and financial support to service providers and families of children with disabilities.**

Health and health services

36. The Committee notes the 2011 Healthy Island Initiative, the Maternal, Infant and Young Child Feeding Guideline Vanuatu, the Vanuatu Integrated Management of Acute Malnutrition Guideline and the plan to use drones for timely vaccine delivery. However, the Committee is concerned at:

(a) The high rates of infant and under-5 mortality resulting from neonatal conditions and preventable causes, such as birth defects, diarrhoea, malaria and pneumonia;

(b) The low vaccination coverage, particularly in rural areas and outer islands;

(c) Stunting, underweight prevalence and malnutrition, which is a leading cause of child death in the State party;

(d) The low level of exclusive breastfeeding after the first three months;

(e) The inadequate childcare facilities, especially obstetric neonatal care facilities, owing to limited funding, the insufficient number of well-trained health workers for children and pregnant women and the poor access to health-care services, particularly in rural and remote areas, which all present significant barriers to the improvement of children's health.

37. **With reference to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, and taking note of target 3.2 of the Sustainable Development Goals to end preventable deaths of newborns and children under 5 years of age, the Committee recommends that the State party:**

(a) **Take measures to reduce infant and under-5 mortality resulting from neonatal conditions and preventable diseases, such as pneumonia, malaria and diarrhoea;**

(b) **Scale up immunization, particularly in rural areas and outer islands, and provide sufficient investment in suitable technologies, such as delivery by drone, and human resource capacities for immunization services;**

(c) **Address chronic malnutrition and stunting in line with the newly developed guidelines on Integrated Management of Acute Malnutrition;**

(d) **Continue its measures to promote breastfeeding, such as baby-friendly hospitals, and encourage mothers to follow the recommended infant and young child feeding practices and the newly developed guidelines on Maternal, Infant and Young Child Feeding;**

(e) **Ensure that there are adequate facilities in place for the treatment of children, including sufficient numbers of well-trained health workers for children and pregnant women, especially obstetric neonatal care facilities, particularly in the rural areas;**

(f) **Strengthen its efforts to improve access to basic health-care services for all children, particularly in rural and remote areas, and provide mobile clinics with more resources so that they are more frequently available and reach a wider population;**

(g) **Implement and apply the OHCHR technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age (A/HRC/27/31).**

Mental health

38. The Committee is concerned that after the expiration of the National Mental Health Policy and Plan 2010, no new policy or action plan on children's mental health has been developed. It is also concerned at the insufficient number of personnel specialized in children's mental health issues.

39. **The Committee recommends that the State party evaluate the lapsed National Mental Health Policy 2009-2015 and its accompanying plan of action and use the findings of the assessment to formulate a new policy. It also recommends that the State party take all necessary measures, including through regional cooperation, to increase the capacity and the number of personnel specialized in children's mental health issues.**

Adolescent health

40. The Committee is concerned about:

(a) The high rate of teenage pregnancies and sexually transmitted infections among adolescents;

(b) The fact that sex education programmes do not pay enough attention to all aspects of prevention;

(c) The fact that abortion is a criminal offence without any exceptions in cases of rape or incest and that this prohibition leads teenage girls into unsafe abortions with consequent risk for their life and health;

(d) The limited access of teenage girls to safe reproductive and sexual health services, especially in rural areas and outer islands, and limited access to birth control methods, also due to fear of stigmatization;

(e) The negative cultural attitudes toward and religious beliefs concerning the use of condoms;

(f) The lack of a policy or action plan on alcohol consumption, smoking and substance abuse among adolescents and the limited programmes and services available to those affected.

41. **With reference to its general comment No. 4 (2003) on adolescent health and development in the context of the Convention, the Committee recommends that the State party:**

(a) **Adopt a comprehensive sexual and reproductive health policy for adolescents that pays attention to all aspects of prevention, including of sexually transmitted infections and of early pregnancies;**

(b) Ensure that sexual and reproductive health education is part of the mandatory school curriculum targeting adolescent girls and boys, with particular focus on preventing early pregnancy and sexually transmitted infections;

(c) Decriminalize abortion for cases of rape, incest and other unwanted pregnancies and ensure access to safe abortion and post-abortion care services, irrespective of whether abortion is legal or not. The views of the girl should always be heard and respected in abortion decisions;

(d) Improve adolescents' access to reproductive health-care and related services and increase support to reproductive health and family planning services, especially in rural areas;

(e) Increase efforts to address negative cultural and religious beliefs about the use of condoms and to ensure access to affordable contraceptive methods;

(f) Develop a policy and plan of action on alcohol, smoking and drug abuse by children and adolescents and provide them with accurate and objective information and life skills education on preventing substance abuse, including tobacco and alcohol, and develop accessible and youth-friendly drug dependence treatment and harm reduction services.

Impact of climate change on the rights of the child

42. The Committee welcomes the mainstreaming of the concepts of disaster risk management, climate change adaptation and energy in the National Reviewed Curriculum. However, it is concerned that the State party has not yet taken sufficient steps to fully incorporate climate change adaptation and disaster risk reduction in the school curriculum, does not have a comprehensive disaster-sensitive social protection system in place, that not enough is being done to include the special needs of children, including children with disabilities, in planning disaster risk reduction, preparedness, response and recovery, and that school infrastructure, particularly in remote areas, is not resilient and accessible in case of natural disaster.

43. **The Committee draws attention to target 13.b of the Sustainable Development Goals on promoting mechanisms for raising capacity for effective climate change-related planning and management in least developed countries and small island developing States. In particular, it recommends that the State party:**

(a) Implement the National Reviewed Curriculum in the next school year, include climate change adaptation and disaster risk reduction in the school curriculum and establish school-based programmes such as early warning systems;

(b) Develop a comprehensive disaster-sensitive social protection system and ensure that the special vulnerabilities and needs of children, as well as their views, are taken into account;

(c) Review emergency protocols to include assistance and other support for children with disabilities during emergencies and natural disasters;

(d) Increase children's awareness and preparedness for climate change and natural disasters and increase the physical safety and resilience of school infrastructure;

(e) Ensure access to schools that are being or are likely to be affected by severe weather events, especially for those in remote or rural communities, and consider alternative methods of teaching;

(f) Improve data and assessments in order to establish an evidence base for risk reduction and preparedness, particularly for the distinct needs and priorities of children with disabilities.

Standard of living

44. The Committee is concerned at the prevalence of child poverty and regional disparities among the provinces in terms of access to housing, education, water, food and health.

45. **The Committee draws attention to target 1.3 of the Sustainable Development Goals on implementing nationally appropriate social protection systems and measures for all, and recommends that the State party:**

(a) **Consider holding targeted consultations with families, children and children's rights civil society organizations on the issue of child poverty, with a view to strengthening the strategies and measures for fulfilling children's rights;**

(b) **Expand coverage to reach groups in disadvantaged situations that currently do not have improved access to water and sanitation, especially in rural and remote communities, in health-care facilities and in schools, including early childhood education centres;**

(c) **Include the specific needs of children with disabilities and of girls in measures to improve access to and the use of water, sanitation and hygiene facilities and services.**

H. Education, leisure and cultural activities (arts. 28-31)

Education, including vocational training and guidance

46. The Committee notes the enactment and adoption of various policies and laws, including the 2014 Education Act, the Inclusive Education Policy and Strategic Plan 2010-2020, the Early Childhood Care and Education Policy 2017-2021 and the accompanying Minimum Quality Service Standards 2017, and the Vanuatu National Language Policy 2012, as well as increased enrolment rates in the recent years. However, the Committee is concerned that:

(a) Education is not compulsory;

(b) Enrolment rates in early childhood education and secondary level education are low, despite the recent increase;

(c) There are gender gaps at the primary and secondary school levels, with lower enrolment of boys;

(d) There are reports of over-age children entering the first level of primary school;

(e) There are disparities in the quality of and access to education between urban and remote areas, including a lack of sufficient boarding facilities for students, particularly girls.

47. **With reference to its general comment No. 1 (2001) on the aims of education, and taking note of target 4.5 of the Sustainable Development Goals on eliminating gender disparities in education and ensuring equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities and children in vulnerable situations, the Committee recommends that the State party:**

(a) **Make primary education free and compulsory;**

(b) **Implement the recommendations of the National Children's Policy (2007-2014) review, in particular by increasing the number of certified teachers and increasing funding for education;**

(c) **Continue with measures to increase enrolment at the early childhood education and secondary school levels;**

(d) **Analyse the root causes of the lower enrolment of boys in primary and secondary schools and implement appropriate actions to remedy it;**

(e) Put in place accelerated programmes and facilitate access to non-formal education programmes for over-age children who are not attending school and have yet to complete primary level;

(f) Take measures to ensure equal access to quality education in all provinces, particularly in remote areas, including by establishing more boarding facilities for students, particularly girls;

(g) Develop a monitoring mechanism to ensure that early childhood centres implement the standards required and have indicators for improvement.

I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)-(d) and 38-40)

Economic exploitation, including child labour

48. The Committee is seriously concerned that the State party has made no progress in the elimination of worst forms of child labour. It is also particularly concerned that:

(a) There is no policy addressing child labour and no social programme aimed at prevention and support for children involved in child labour;

(b) A list of hazardous child labour, as required under the International Labour Organization Worst Forms of Child Labour Convention, 1999 (No. 182), has not yet been adopted;

(c) The selling of newspapers in the street by boys, working in agriculture and non-attendance in school remains a challenge;

(d) There is no child-specific complaints mechanism able to effectively receive, monitor and investigate reports on cases of child exploitation.

49. **The Committee urges the State party to:**

(a) **Develop and adopt a policy on child labour and a list of hazardous child labour;**

(b) **Take the necessary measures to ensure that no child under 18 years of age engages in hazardous work and put in place social programmes that target the elimination of child labour, especially its worst forms;**

(c) **Determine the conditions in which light work, such as in agriculture, may be permitted and the number of hours children may be engaged in such employment;**

(d) **Strengthen coordination at the national level through mechanisms such as the National Children's Committee and other human rights committees;**

(e) **Establish a child-specific complaint mechanism that can receive, monitor and investigate reports on cases of child exploitation and raise children's awareness about it.**

Administration of juvenile justice

50. The Committee welcomes the amendment of the Correctional Services Act increasing the definition of a juvenile to 18 years. However, the Committee is seriously concerned that:

(a) There is still no law governing the administration of juvenile justice;

(b) The minimum age of criminal responsibility is set at the very low age of 10;

(c) The Penal Code provides for detention as a measure of last resort only for children under 16;

(d) There is a need for further capacity-building of the police in relation to the standard operating procedures and the competence to use them.

51. **With reference to its general comment No. 10 (2007) on children's rights in juvenile justice, the Committee urges the State party to bring its juvenile justice system fully into line with the Convention and other relevant standards. In particular, the Committee recommends that the State party:**

(a) **Adopt legislation on the administration of juvenile justice and ensure that children under the age of 18 are protected with the safeguards provided in the Penal Code;**

(b) **Establish specialized juvenile courts and procedures with adequate human, technical and financial resources, designate specialized judges and other relevant personnel for children and ensure that they receive appropriate education and training;**

(c) **Raise the minimum age of criminal responsibility in accordance with acceptable international standards;**

(d) **Incorporate child protection and specific standard operating procedures into the existing training curriculum for the police and introduce a performance-based management system to ensure accountability in applying their knowledge and skills.**

J. Ratification of the Optional Protocol on a communications procedure

52. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on a communications procedure.**

K. Ratification of international human rights instruments

53. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments to which it is not yet a party:**

(a) **The International Convention on the Elimination of All Forms of Racial Discrimination;**

(b) **The International Covenant on Economic, Social and Cultural Rights;**

(c) **The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;**

(d) **The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;**

(e) **The International Convention for the Protection of All Persons from Enforced Disappearance.**

L. Cooperation with regional bodies

54. **The Committee recommends that the State party cooperate with, among others, the Association of Southeast Asian Nations Commission on the Promotion and Protection of the Rights of Women and Children.**

IV. Implementation and reporting

A. Follow-up and dissemination

55. **The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations**

are fully implemented. The Committee also recommends that the combined second to fourth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

B. National mechanism for reporting and follow-up

56. The Committee recommends that the State party continue to strengthen its national mechanism for reporting and follow-up, the National Human Rights Committee.

C. Next report

57. The Committee invites the State party to submit its combined fifth to seventh periodic reports by 5 February 2022 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (see General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

58. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I) and paragraph 16 of General Assembly resolution 68/268.